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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No.: CR-07-0559 JSW
Plaintiff,)
v.) [PROPOSED]
MICHAEL YOUNG,) ORDER OF DETENTION
Defendant.) PENDING TRIAL

On December 13, 2007, the defendant in this matter came before this Court for an initial appearance on alleged violations of conditions of pretrial release. Defendant Michael Young was present and represented by Assistant Federal Public Defender Elizabeth Falk. Assistant United States Attorney Denise Barton appeared for the United States of America. A representative of Pretrial Services was present at the hearing. The government requested detention, and the defendant opposed the motion. Arguments relating to detention were submitted by the parties at the hearing.

U.S. v. YOUNG, CR 07-0559 JSW
DETENTION ORDER

1 Upon consideration of the facts and arguments presented, the Court finds by clear
 2 and convincing evidence that defendant violated the conditions of his pretrial release, by *inter*
 3 *alia*, using methamphetamine and by failing to remain at the halfway house at which defendant
 4 had been ordered to reside. 18 U.S.C. § 3148(b)(1)(B). Furthermore, the Court finds that, based
 5 on the factors set out in 18 U.S.C. § 3142(g), there is no condition or combination of conditions
 6 of release that will assure that the defendant will not flee or pose a danger to the safety of any
 7 other person or the community. 18 U.S.C. § 3148(b)(2)(A). The Court's conclusion is based on
 8 its findings at the hearing on December 13, 2007, as well as the earlier findings set out in its
 9 detention order of September 4, 2007. Accordingly, the Court concludes that the defendant must
 10 be detained pending trial in this matter.

11 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

12 (1) the defendant be, and hereby is, committed to the custody of the Attorney
 13 General for confinement in a corrections facility separate, to the extent
 14 practicable, from persons awaiting or serving sentences or being held in custody
 15 pending appeal;

16 (2) the defendant be afforded reasonable opportunity for private consultation with
 17 his counsel; and

18 (3) on order of a court of the United States or on request of an attorney for the
 19 government, the person in charge of the corrections facility in which the defendant
 20 is confined shall deliver the defendant to an authorized Deputy United States
 21 Marshal for the purpose of any appearance in connection with a court proceeding.

22 Dated: December 21, 2007

